

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

CAROL PETRARCA

v.

SOUTHERN UNION COMPANY and
NEW ENGLAND GAS COMPANY

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C.A. No. 04-310S

MEMORANDUM AND ORDER

Before the Court for determination is a Motion to Withdraw filed by Plaintiff's counsel on January 9, 2006.

This is an employment discrimination case. It is related to Lynore Horn v. Southern Union Co., et al., C.A. No. 04-434S and Christine Stamp v. Southern Union Co., et al., R.I. Sup. Ct., C.A. No. 04-4592, which involve different plaintiffs but similar allegations, the same defendants and the same attorneys. This case is seventeen months old. Discovery has been extended twice and closes on February 17, 2006. A similar Motion to Withdraw is pending in the Horn case.

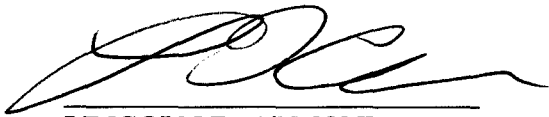
The Motion to Withdraw indicates that Plaintiff's counsel believe they are ethically compelled to withdraw due to a "recently divulged conflict of interest." This Court is very troubled by this eleventh-hour Motion to Withdraw. Thus, this Court ORDERS that:

1. Attorneys Andrews and Iafrate shall each immediately offer their assistance to Ms. Petrarca in engaging acceptable successor counsel.
2. Attorneys Andrews and Iafrate shall make a joint in camera submission to this Court by January 20, 2006 which addresses the following issues:

(a) the factual and legal basis for the claimed conflict of interest which ethically precludes continued representation of Ms. Petrarca and why it was not identified prior to or at the outset of the representation; and

(b) whether Attorneys Andrews and Iafrate have any legal or ethical obligation to find appropriate successor counsel for Ms. Petrarca under these circumstances.

3. Attorneys Andrews and Iafrate shall send a copy of their joint in camera submission to Ms. Petrarca, and Ms. Petrarca may respond in writing directly to this Court by January 27, 2006.



LINCOLN D. ALMOND
United States Magistrate Judge
January 10, 2006